

REMARKS

Claims 1 to 24 and 26 to 31 remain in this application. Claims 1,19 and 28 are independent claims. Claim 25 has been cancelled; and all of the remaining claims are dependent, either directly or through one another, upon one of the three independent claims 1,19 or 28. Applicant notes that the claims originally presented as Claims 31 and 32 have been renumbered as Claims 30 and 31, respectively, in accordance with the comments made by the Examiner.

A drawing objection has been made by the Examiner on the grounds that the means for providing access to the non-linear guide path recited in Claim 29 must be shown. Applicant respectfully submits that the drawings do properly show this access; and in order to correlate the specification with Claim 29, the paragraph beginning on Line 17 of Page 6 and continuing through Line 11 of Page 7 has been amended to add the words "access to" in the description of the structure describing the serpentine path with the exposed open bottom of the head shown in Figures 4,5 and 7, in particular. Applicant respectfully submits that this inclusion of these terms in this paragraph on Page 6 does not constitute new matter, but merely correlates the terminology of Claim 29 with the specification. In view of this amendment to the specification, applicant respectfully submits that the drawings do correctly show

1 every feature of the invention specified in the claims, and that no
2 drawing correction is necessary. Consequently, no drawing
3 correction has been made.

4 The terminology objections made by the Examiner for Claims 1
5 to 27 have been corrected in accordance with the statements made by
6 the Examiner. Claims 9, 10 and 24 were rejected under 35
7 U.S.C. §112. Specifically, the Examiner stated that Claim 9 was not
8 clear whether or not "a second plane" cited therein is in addition
9 to the second plane cited in Claim 2. Claim 9 has not been
10 amended; and applicant respectfully requests the Examiner to
11 reconsider and withdraw this rejection. In Claim 9, the "second
12 plane" which is recited therein is recited as "a second plane
13 including the central axis". Claim 1 refers to a plane including
14 the central axis. Consequently, this second plane including a
15 central axis clearly is a second plane similar to the one which is
16 recited in Claim 1. The second plane, recited in Claim 2, is "a
17 second plane perpendicular to the plane including the central
18 axis". Applicant respectfully submits that even though the term
19 "second plane" is used in both Claims 2 and 9, it is clear from the
20 modifiers used that the planes to which reference is made are
21 different planes. As a consequence, applicant respectfully
22 requests reconsideration and withdrawal of the rejection of Claim
23 9 under 35 U.S.C. §112. Applicant submits that since Claim 10 is
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1 dependent upon Claim 9, the withdrawal of the rejection of this
2 claim also should be made.

3 Claim 24 has been amended to delete the term "the housing" to
4 which objection was made by the Examiner. Applicant respectfully
5 submits that this claim no longer is subject to a rejection under
6 35 U.S.C. §112; and withdrawal of that rejection is respectfully
7 requested.

8 Claims 1, 28 and 29 were rejected under 35 U.S.C. §102(b) as
9 being clearly anticipated by the United States patent to Ballas No.
10 4,054,992. Claims 1 to 6, 11, 13, 14, 17 to 23 and 25 to 31 were
11 rejected under 35 U.S.C. §102(b) as being clearly anticipated by
12 the United States patent to Wang No. 6,052,907. Only Claims 1, 19
13 and 28 of these claims are independent. Consequently, the Ballas
14 patent is being used to reject independent Claims 1 and 28 (and
15 dependent Claim 29); whereas the Wang patent is being used to
16 rejected independent Claims 1, 19 and 28 (with the rest of the
17 claims being rejected as anticipated by Wang comprising dependent
18 claims).

19 Applicant respectfully submits that for a claim to be rejected for
20 a lack of novelty under 35 U.S.C. §102(b), the reference must
21 disclose every limitation recited in the rejected claim (or
22 claims). As stated in MPEP §2131:

23 "A claim is anticipated only if each and every element as
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1 set forth in the claim is found, either expressly or
2 inherently described, in a single prior art reference."

3 *Verdegaal Bros. v. Union Oil Co. of California*, 814 F 2nd
4 628, 631, 2 USPQ 2nd 1051, 1053, (Fed. Cir. 1987).

5 "The identical invention must be shown in as complete
6 detail as is contained in the ... claim." *Richardson v.*
7 *Suzuki Motor Co.*, 868 F2nd 1226, 1236, 9 USPQ 2nd 1913,
8 1920 (Fed. Cir. 1989).

9 "The elements must be arranged as required by the
10 claim..."

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12 Applicant respectfully traverses the rejection under 35 U.S.C.
13 §102(b) of Claims 1, 28 and 19 as anticipated by the Ballas patent
14 No. 4,054,992 as clearly improper. Contrary to the Examiner's
15 position that all of the elements of the rejected claims are
16 disclosed in the Ballas reference (implied by a §102(b) rejection),
17 Ballas does not include each and every element as set forth in the
18 claims (independent Claims 1 and 28 and dependent Claim 29).

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20 Figure 4 of Ballas (to which the Examiner made reference)
21 essentially does not disclose a "guide path" for a line, but rather
22 a holding channel or narrow passageway into which a line must be
23 pressed with the ends extending from opposite sides of the head.
24 This is readily apparent from an examination of Figure 4. In
25 addition, however, the path shown in Figure 4 is not in the plane
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1 of the central axis used for attachment of the housing to a string
2 trimmer machine, as is readily apparent from the side view of
3 Figure 6. Figure 4 is a bottom view of the same head shown in the
4 side view of Figure 6.

5 The plane in which the line 67 of Ballas (as shown in Figure
6 4) resides is a plane which intersects the plane of the central
7 axis of the head. Claims 1 and 28, however, specifically recite
8 that the guide path of Claim 1 is located in a plane including the
9 central axis, and in Claim 28 the reference is to a serpentine path
10 in a plane including the central axis. Since these elements are
11 not present in the Ballas reference, the rejection of independent
12 Claims 1 and 28 (and dependent Claim 29) under 35 U.S.C. §102(b) is
13 unsupported and should be withdrawn.
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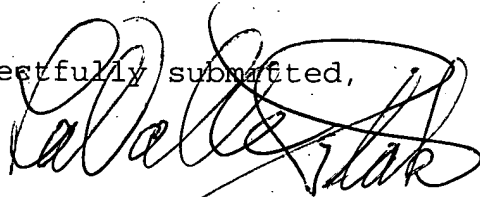
15 Claims 1 to 6, 11, 13, 14, 17, 23 and 26 to 31 were rejected under
16 35 U.S.C. §102(b) as clearly anticipated by the U.S. patent to Wang
17 No. 6,052,907, as mentioned above. Reference is made by the
18 Examiner to Figures 10 and 18 of Wang. Applicant respectfully
19 submits that Wang is subject to the same failures as Ballas et al.
20 The path which is occupied by the trimmer line in Wang (Figures 10
21 and 18) is in a plane which intersects the central axis of the
22 head. This path is not in a plane which includes the central axis
23 of the head. Consequently, applicant respectfully traverses the
24 rejection under 35 U.S.C. §102(b) of the claims which have been
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1 rejected as anticipated by Wang. Again, not all of the elements
2 of the rejected claims are disclosed in Wang. Wang does not
3 include the limitation mentioned above for independent Claims 1 and
4 28. In independent Claim 19 (the only other independent claims of
5 the various claims rejected as anticipated by Wang), the serpentine
6 path for a trimmer line is recited as a guide path located in a
7 plane including the central axes of the upper and lower housing
8 portions. In contrast, the path occupied by the trimmer line in
9 Wang is located in a plane which intersects the central axis, but
10 does not include it. Consequently, applicant submits that the
11 rejection of Claims 1 to 6, 11, 13, 14, 17 to 23 and 26 to 31 under 35
12 U.S.C. §102(b) is unsupported, and should be withdrawn.

13 Applicant respectfully submits that since the only rejections
14 of claims in this application are based on unsupported rejections
15 under 35 U.S.C. §102(b), these rejections should be withdrawn.
16 Applicant further submits that the rejection of some of the claims
17 under 35 U.S.C. §112 has been met with compliance; and the various
18 objections to terminology of some of the claims all have been
19 corrected. As a consequence, applicant respectfully requests
20 withdrawal of the rejection of Claims 1 to 6, 9 to 11, 13, 14, 17 to
21 23 and 26 to 31, and respectfully requests allowance of these
22 claims, along with the claims indicated as including allowable
23 subject matter in the initial Office Action. Allowance of all of
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1 the claims appearing in this application is respectfully requested;
2 and a formal Notice of Allowance of all of the claims is
3 respectfully solicited.

4 Respectfully submitted,



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12 Date: 1/13/05